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## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

KILGER et al.

Art Unit: 1637

Application No.: 09/339,103

Examiner: Horlick, Kenneth R.

Filed: June 24, 1999

Attorney Dkt. No.: 101614-08090

For: METHOD FOR THE UNCOUPLED, DIRECT, EXPONENTIAL AMPLIFICATION  
AND SEQUENCING OF DNA MOLECULES WITH THE ADDITION OF A  
SECOND THERMOSTABLE DNA POLYMERASE AND ITS APPLICATION

### RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

#### Mail Stop: ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

October 20, 2004

Sir:

In response to the Notice of Drawing Inconsistency with Specification dated September 20, 2004 (copy attached), Applicants hereby enclose Figure 7 that was inadvertently omitted from the formal drawings filed August 17, 2004.

In the event that this paper is not timely filed, the applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2300 referencing No. 101614-08090, along with any other additional fees which may be required with respect- to this paper.

The Examiner is respectfully requested to acknowledge that all of the requirements have been met.

Respectfully submitted,

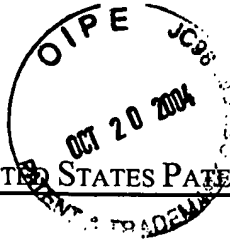
A handwritten signature in black ink, reading "Robert K. Carpenter". The signature is written in a cursive style with a horizontal line underneath the name.

Robert K. Carpenter  
Registration No. 34,794

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RKC:tdd

Enclosures: Formal Drawing (Figure 7)  
Notice of Drawing Inconsistencies with Specification dated  
September 20, 2004



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/339,103	06/24/1999	CHRISTIAN KILGER	P1614-8090	2157

4372 7590 09/20/2004

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EXAMINER
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HORLICK, KENNETH R

ART UNIT	PAPER NUMBER
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1637

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

### NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 08-17-2004 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figure 7 is listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figure      is contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

#### **Return Corrected Drawings/Specification to:**

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FORM PTO-1631 (REV. 10-03)